

February 26, 1986 LB 325

PRESIDENT: The question is the adoption of the Pappas amendment to LB 325. All those in favor vote aye, opposed vote nay. We're voting on the adoption of an amendment offered by Senator Pappas to LB 325. Please record your vote. Please record your vote on the Pappas amendment to LB 325. The motion is pending, a vote is being taken, vote aye or nay. Please record your vote if you wish to vote on the Pappas amendment to 325. Have you all voted? Record the vote.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of Senator Pappas's amendment.

PRESIDENT: The Pappas amendment is adopted. Next, Mr. Clerk.

CLERK: Mr. President, Senator Miller would move to amend. (Miller amendment is found on pages 1035-39 of the Legislative Journal.)

PRESIDENT: Senator Miller, go ahead.

SENATOR MILLER: This is an amendment that would take the lump sum amount of money that a state employee could take out upon retirement from 50 percent back down to 25 percent and I think this body has to recognize what the policy of this state should be. Do we want to have a retirement program that allows lump sum payment or do we want to have a retirement program that is, in fact, money laid by for retirement? Now we have to realize who sets the policy here. Our policy was previous to a situation brought to the Attorney General by the Nebraska Association of Public Employees that we gave no lump sum payment. After they...we had a situation where if you did not retire, if you did not stay in the program until you retired, in fact, if you moved away from the state and had put enough years in the county, you had some money contributed to this program, you could have taken some money out. That caused the Attorney General to rule that upon retirement you could take that amount of money in that you had contributed back out. The policy of the state has been, and I think it's prudent policy and I'd like to get as close to that policy as we should, would be to not have lump sum withdrawals allowed. We could, I believe, answer the Attorney General's question by going back down to 25 percent. Now the argument is that the county employees or state employees would be able to do